IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

DIGITAL VERIFICATION SYSTEMS, LLC,	§ § §	
Plaintiff,	§ §	Case No: 1:22-cv-00782
vs.	§ § §	PATENT CASE
LIGHTICO, INC.,	§ §	JURY TRIAL DEMANDED
Defendant.	§ § §	

COMPLAINT

Plaintiff Digital Verification Systems, LLC ("Plaintiff" and/or "DVS") files this Complaint against Lightico, Inc. ("Defendant" and/or "Lightico") for infringement of United States Patent No. 9,054,860 (hereinafter "the '860 Patent").

PARTIES AND JURISDICTION

1.   This is an action for patent infringement under Title 35 of the United States Code. Plaintiff is seeking injunctive relief as well as damages.

2.   Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents) because this is a civil action for patent infringement arising under the United States patent statutes.

3.   Plaintiff is a Texas limited liability company with an address of 1 East Broward Boulevard, Suite 700, Fort Lauderdale, FL 33301.

4.   On information and belief, Defendant is a Delaware corporation with its principal office located at 275 7th Ave. New York, NY, 10001. On information and belief, Defendant may be served through its agent, Vcorp Services, LLC, at 1013 Centre Road Suite 403-B, New Castle, DE 19805.

5.   On information and belief, this Court has personal jurisdiction over Defendant because Defendant has committed, and continues to commit, acts of infringement in this District, has conducted business in this District, and/or has engaged in continuous and systematic activities in this District.

6.   On information and belief, Defendant's instrumentalities that are alleged herein to infringe were and continue to be used, imported, offered for sale, and/or sold in this District.

VENUE

7.   On information and belief, venue is proper in this District under 28 U.S.C. § 1400(b) because Defendant is deemed to reside in this District. Alternatively, acts of infringement are occurring in this District and Defendant has a regular and established place of business in this District.

COUNT I
(INFRINGEMENT OF UNITED STATES PATENT NO. 9,054,860)

8.   Plaintiff incorporates paragraphs 1 through 7 herein by reference.

9.   This cause of action arises under the patent laws of the United States and, in particular, under 35 U.S.C. §§ 271, *et seq.*

10.   Plaintiff is the owner by assignment of the '860 Patent with sole rights to enforce the '860 Patent and sue infringers.
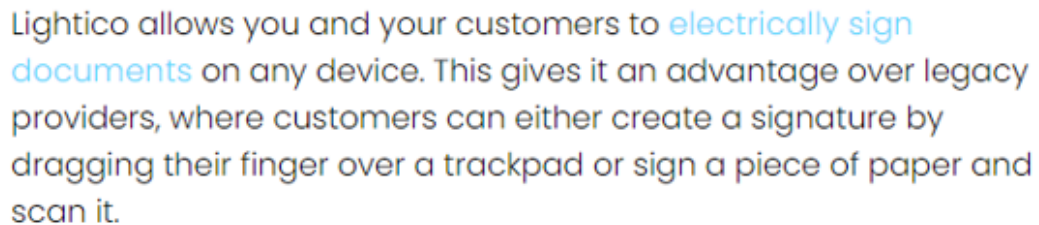
11.   A copy of the '860 Patent, titled "Digital Verified Identification System and Method," is attached hereto as Exhibit A.

12.   The '860 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

13.   Upon information and belief, Defendant has infringed and continues to infringe one or more claims, including at least Claim 1, of the '860 Patent by making, using (at least by

having its employees, or someone under Defendant's control, test the accused Product), importing, selling, and/or offering for sale associated hardware and/or software for digital signature services (e.g., Lightico e-sign service), and any similar products and/or services ("Product") covered by at least Claim 1 of the '860 Patent. Defendant has infringed and continues to infringe the '860 patent either directly or through acts of contributory infringement or inducement in violation of 35 U.S.C. § 271.

14.   The Product provides a system for e-signatures. The Product provides for digitally verifying the identification of a sender. Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

Lightico allows you and your customers to electrically sign documents on any device. This gives it an advantage over legacy providers, where customers can either create a signature by dragging their finger over a trackpad or sign a piece of paper and scan it.

Source: https://www.lightico.com/blog/how-do-i-electronically-sign-a-pdf/

eSignatures Are Only The Beginning

Complete entire customer journeys with digital ID verification, forms, document collection, eSignatures, and more using automated workflows.
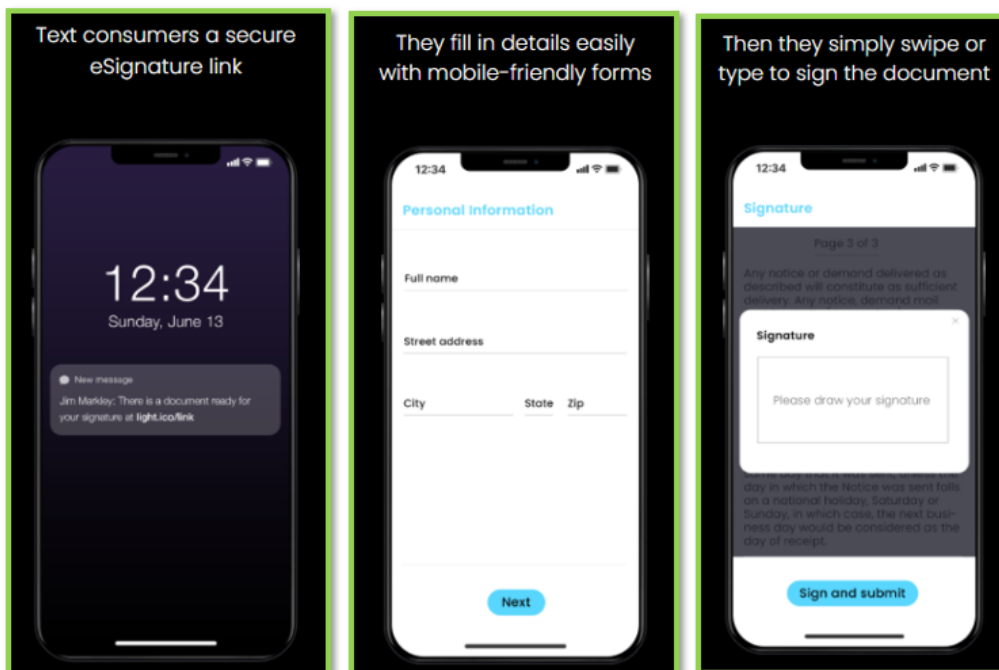
Source: https://www.lightico.com/

Here are some key features and benefits of using Lightico to digitally sign your PDFs and other documents.

- In your client portal, send documents for signing by the clients, create templates and add branding.
- Send PDFs to sign, Word Documents to sign or any other document type supported by Lightico. The end-user doesn't even have to leave their email application of choice in order to digitally sign it.
- Lightico will then email the signed copy of your document to you according to a schedule of your own choosing.
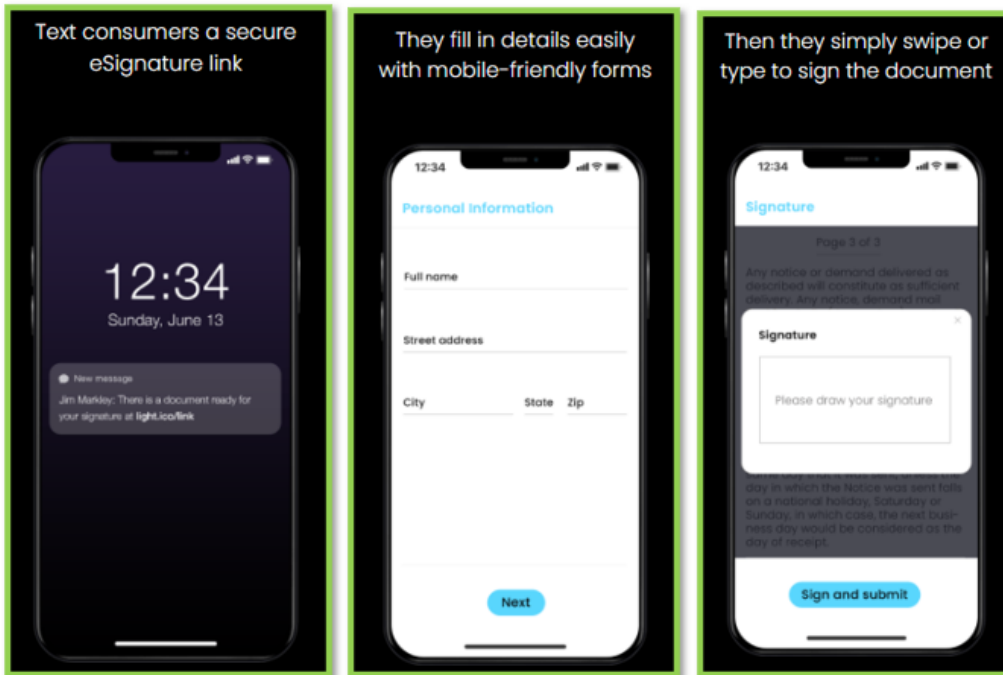- Documents are stored securely in the cloud, where you can download from at any time.

Source: https://www.lightico.com/blog/how-do-i-electronically-sign-a-pdf/

15.   The Product includes at least one digital identification module structured to be associated with at least one entity. For example, the Product provides a module (e.g., e-signature creation module) to be associated with at least one entity (i.e., a user who needs to use a digital signature). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

Source: https://www.lightico.com/esignature/

16.   The Product includes a module generating assembly structured to receive at least one verification data element corresponding to the at least one (e.g., a user has a unique login ID and password for accessing and verifying the account for e-signing documents) and create said at least one digital identification module (e.g., creating an e-signature of a user). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

Source: https://www.lightico.com/esignature/

Source: https://www.lightico.com/blog/how-to-complete-an-esignatures/

17.   The at least one digital identification module is disposable within at least one electronic file. For example, the user can store the e-signature within a document or including PDF, WORD DOC, IMAGES, etc. Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.
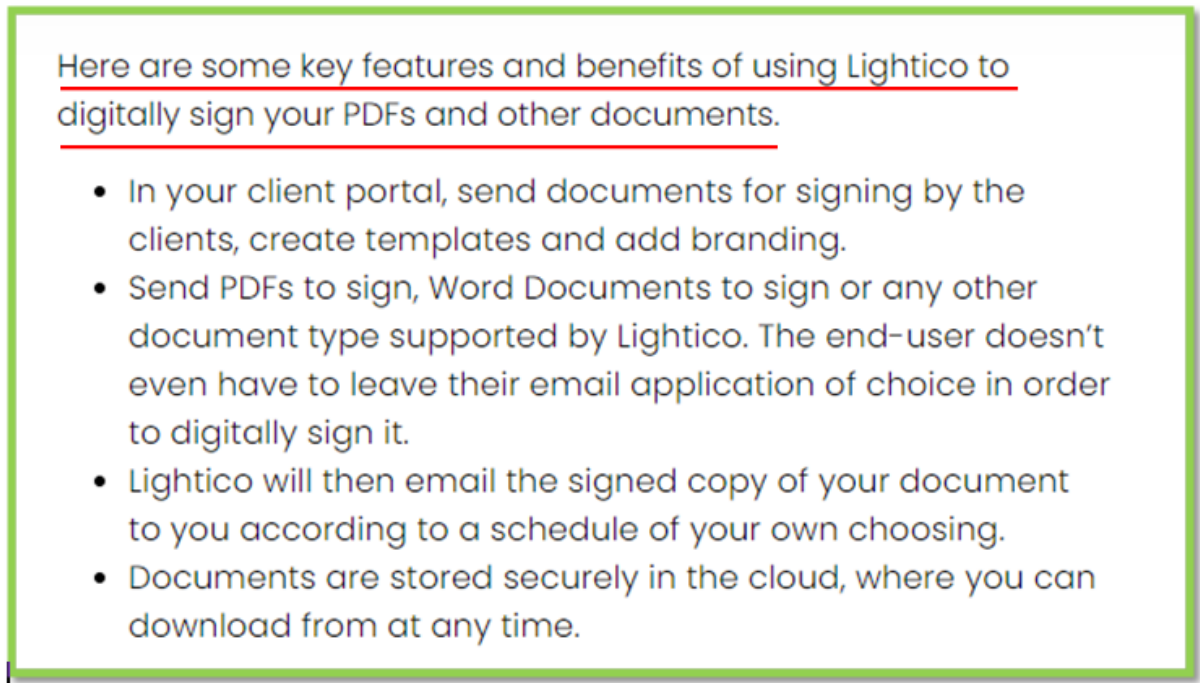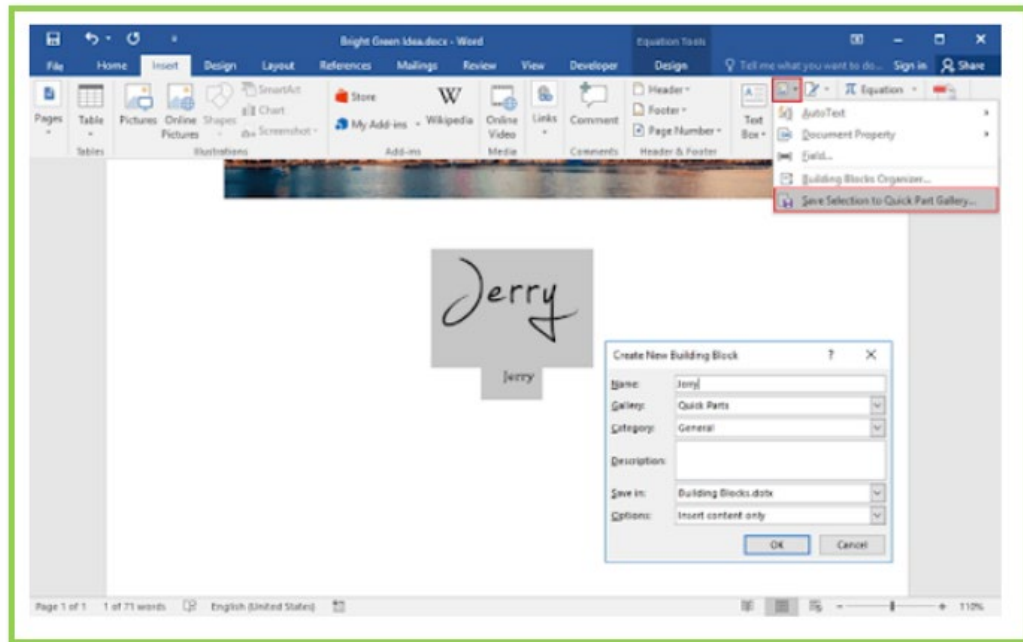
Here are some key features and benefits of using Lightico to digitally sign your PDFs and other documents.

- In your client portal, send documents for signing by the clients, create templates and add branding.
- Send PDFs to sign, Word Documents to sign or any other document type supported by Lightico. The end-user doesn't even have to leave their email application of choice in order to digitally sign it.
- Lightico will then email the signed copy of your document to you according to a schedule of your own choosing.
- Documents are stored securely in the cloud, where you can download from at any time.

Source: https://www.lightico.com/blog/how-do-i-electronically-sign-a-pdf/

18.   The at least one digital identification module includes at least one primary component structured (e.g., an e-signature of a user is associated with information including username, etc.) to at least partially associate the digital identification module with the at least one entity (e.g., an e-signature is associated with a user, who has to sign digitally). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

Source: https://www.lightico.com/blog/how-to-complete-an-esignatures/

Here is how to complete an eSignature process in Microsoft Word:

1. Open the document that requires a signature
2. Move the cursor to an empty space where the line belongs
3. Click the "Insert" tab
4. Click "Signature Line" and then "Microsoft Office Signature Line"
5. Fill out the intended signers' name, title, and email address in the "Signature Setup" window
6. Enable date of signing and ability for signers to add comments (optional)
7. Send the document to customers for signing
8. Have customers right-click the signature line, select "sign,"

Source: https://www.lightico.com/blog/how-to-complete-an-esignatures/
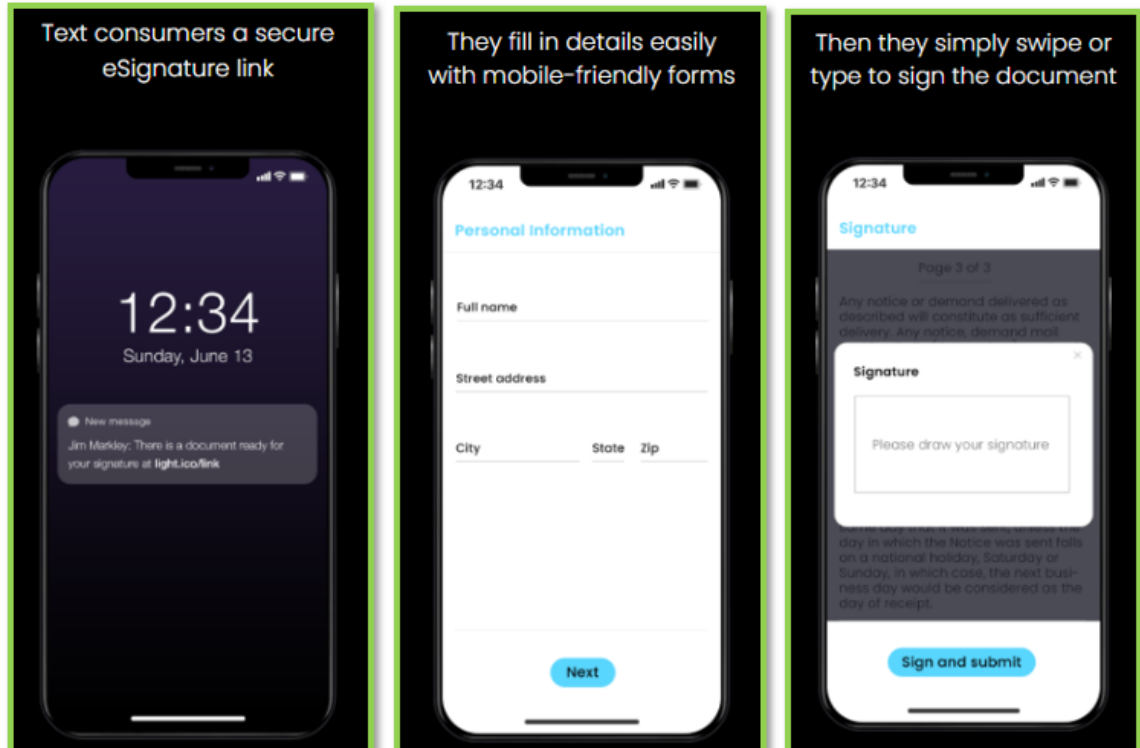
19.   The at least one digital identification module is cooperatively structured to be embedded within only a single electronic file (e.g., an e-signature is stored within a document-

including PDF, WORD DOC, IMAGES, etc.). Certain aspects of this element are illustrated in

the screenshot(s) below and/or in those provided in connection with other allegations herein.

Here are some key features and benefits of using Lightico to digitally sign your PDFs and other documents.

- In your client portal, send documents for signing by the clients, create templates and add branding.
- Send PDFs to sign, Word Documents to sign or any other document type supported by Lightico. The end-user doesn't even have to leave their email application of choice in order to digitally sign it.
- Lightico will then email the signed copy of your document to you according to a schedule of your own choosing.
- Documents are stored securely in the cloud, where you can download from at any time.

Source: https://www.lightico.com/blog/how-do-i-electronically-sign-a-pdf/

Text consumers a secure eSignature link

They fill in details easily with mobile-friendly forms

Then they simply swipe or type to sign the document

Source: https://www.lightico.com/esignature/

eSignature solutions that are tailored for a smartphone experience (iPhone, or Andriod) are the newest type of eSignature, and in many ways the most effective. They are based on the premise that customers should be able to fill out forms, upload documents, and sign paperwork wherever they are.

These mobile optimized eSignature solutions workflows function by sending a text message link (or email), which opens up to a device native secure web browser, with an intuitive mobile environment. There, customers are able to easily upload documents, fill out forms, send ID for verification, and complete their signature.

Source: https://www.lightico.com/blog/how-to-complete-an-esignatures/

20.   Defendant's actions complained of herein will continue unless Defendant is enjoined by this court.

21.   Defendant's actions complained of herein are causing irreparable harm and monetary damage to Plaintiff and will continue to do so unless and until Defendant is enjoined and restrained by this Court.

22.   Plaintiff is in compliance with 35 U.S.C. § 287.

JURY DEMAND

23.   Under Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff respectfully requests a trial by jury on all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff asks the Court to:

(a)   Enter judgment for Plaintiff on this Complaint on all causes of action asserted herein;

(b)   Enter an Order enjoining Defendant, its agents, officers, servants, employees,

attorneys, and all persons in active concert or participation with Defendant who receive notice

of the order from further infringement of United States Patent No. 9,054,860 (or, in the

alternative, awarding Plaintiff a running royalty from the time of judgment going forward);

(c)   Award Plaintiff damages resulting from Defendant's infringement in accordance

with 35 U.S.C. § 284;

(d)   Award Plaintiff pre-judgment and post-judgment interest and costs; and

(e)   Award Plaintiff such further relief to which the Court finds Plaintiff entitled under

law or equity.

Dated: February 11, 2022.   Respectfully submitted,

                                             /s/Jay Johnson
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